IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

OP.No. 30278 of 2002(D)

PETITIONER:

K.K.RAGHAVAN S/O. KOCHAPPAN,
AGED 75 YEARS, KANDATHIPARAMBIL, KUDUNGASSERY,
NAYARAMBALAM P.O., ERNAKULAM DISTRICT
(RETIRED FULL TIME CONTINGENT EMPLOYEE SWEEPER)
NAYARAMBALAM GRAMA PANCHAYATH, ERNAKULAM
DIST.

BY ADV. SRI.A.X.VARGHESE

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY ITS**
   SECRETARY, MINISTRY OF LOCAL SELF ADMINISTRATION,
   SECRETARIATE, THIRUVANANTHAPURAM.

2. **THE DIRECTOR OF PANCHAYATH, OFFICE OF**
   THE PANCHAYATH DIRECTORATE, THIRUVANANTHAPURAM

3. **THE DISTRICT PANCHAYATH OFFICER,**
   OFFICE OF THE DISTRICT PANCHAYATH KAKKANAD,
   ERNAKULAM

4. **NAYARAMBALAM GRAMA PANCHAYATH,**
   REPRESENTED BY ITS SECRETARY, NAYARAMBALAM P.O.,
   ERNAKULAM DISTRICT

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN
SRI.C.A.CHACKO

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. NO.30278/2002

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE GOVERNMENT ORDER G.O.(MS) NO. 76/87/LAD. DT. 24.3.87.

EXT.P2:- COPY OF THE GOVERNMENT ORDER NO.12050/H3/96/L4 DT. 16.5.96.

EXT.P3:- COPY OF THE ORDER BEARING NO.G.O.(P) 106/LAD DT. 23.3.91.

/TRUE COPY/

P.A. TO JUDGE

tss

K.BALAKRISHNAN NAIR, J.

O.P. No.30278 of 2002 D

Dated this the 3rd day of July, 2007.

JUDGMENT

The petitioner was a part-time sweeper under the Nayarambalam Panchayat from 1.5.1973. He was promoted as full time sweeper on 23.12.1980. He retired from service on 31.1.1991 on attaining the age of 65 years. This writ petition is filed by him claiming pensionary benefits.

2. The respondents have filed a counter affidavit in which it stated that since he opted to continue till the age of 65 years, he is not entitled to any pensionary benefits in the light of Ext.P3 Government Order. The petitioner has not filed any reply affidavit. He has also failed to point any rule enabling him to get pensionary benefits.

In the result, the writ petition fails and it is dismissed.

Sd/-

(K.BALAKRISHNAN NAIR)
JUDGE

sk/

//true copy//

K.BALAKRISHNAN NAIR, J.

O.P. No.30278 of 2002 D

JUDGMENT

03rd JULY, 2007.